

## **PUBLIC WORKS COMMITTEE**

**DATE:** May 14, 2009

**CALLED TO ORDER:** 5:30 p.m.

**ADJOURNED:** 6:24 p.m.

### **ATTENDANCE**

#### ATTENDING MEMBERS

Benjamin Hunter, Chair  
Ginny Cain  
Brian Mahern  
Dane Mahern  
Angela Mansfield  
Janice McHenry  
Mary Moriarty Adams  
Christine Scales  
Mike Speedy

#### ABSENT MEMBERS

### **AGENDA**

PROPOSAL NO. 83, 2009 - amends the Code to make towing and storage fees for abandoned vehicles consistent with the franchise fees for towing and storage charged by franchise wreckers

"Do Pass"

Vote 9-0

PROPOSAL NO. 130, 2009 - defines and establishes a school zone on Illinois Street between 30th Street and 32nd Street (District 8)

"Do Pass As Amended"

Vote 9-0

PROPOSAL NO. 132, 2009- amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

"Tabled" until June 18, 2009

Vote 9-0

PROPOSAL NO. 166, 2009 - establishes that the Council, as the fiscal body of the City and County, is interested in making a purchase of specified land owned by James D. and Ova Hix, pursuant to IC 36-1-10.5-5, for construction of a public works project

"Do Pass"

Vote 8-0

PROPOSAL NO. 167, 2009 - establishes that the Council, as the fiscal body of the City and County, is interested in making a purchase of specified land owned by The Riviera Club, Inc., pursuant to IC 36-1-10.5-5, for construction of a public works project

"Do Pass"

Vote 8-0

PROPOSAL NO. 168, 2009 - authorizes intersection controls at Platinum Place and Sheridan Avenue (District 25)

"Do Pass"

Vote 8-0

PROPOSAL NO. 169, 2009 - authorizes parking restrictions on Windsor Drive between Arlington Avenue and Catherwood Avenue (District 17)

"Do Pass"

Vote 8-0

PROPOSAL NO. 170, 2009 - authorizes parking changes on New York Street (Districts 17 and 21)

"Do Pass"

Vote 8-0

PROPOSAL NO. 171, 2009 - authorizes parking changes on Michigan Street (Districts 17 and 21)

"Do Pass"

Vote 8-0

PROPOSAL NO. 173, 2009 - authorizes the removal of parking meters on both sides of Illinois Street between 38th Street and 39th Street (District 8)

"Do Pass"

Vote 8-0

## **PUBLIC WORKS COMMITTEE**

The Public Works Committee of the City-County Council met on Thursday, May 14, 2009. Chairman Benjamin Hunter called the meeting to order at 5:30 p.m. with the following members present: Ginny Cain, Brian Mahern, Dane Mahern, Angela Mansfield, Janice McHenry, Mary Moriarty Adams, Christine Scales, and Mike Speedy. General Counsel Robert Elrod represented Council Staff.

PROPOSAL NO. 132, 2009- amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

Chair Hunter asked for consent to "Table" Proposal No. 132 until June 18, 2009. Consent was given. The motion carried by a vote of 9-0.

PROPOSAL NO. 83, 2009 - amends the Code to make towing and storage fees for abandoned vehicles consistent with the franchise fees for towing and storage charged by franchise wreckers

Pat Carroll, Deputy Director, Department of Public Works (DPW), said DPW has been responsible for the Abandoned Vehicle Program in the past, but he anticipates that the Office of Code Enforcement (OCE) will take full responsibility of overseeing the program at the beginning of next year. He introduced Rick Powers, Director, OCE. Mr. Powers said their goal is to make the towing and impound fees consistent throughout the city, regardless of the towing agent. The removal fees would increase from \$25 to \$65, and the storage fees would increase from \$10 to \$15. He said that there is a franchise agreement, and there will be an increase in revenue for the city. Mr. Powers said they are trying to locate a vendor to be in charge of the Nuisance Vehicle Program. He said there are currently about 6,000 that could qualify for removal that they would have to abate through the courts.

Chair Hunter asked if this action establishes parity between Last Chance Contractor and other contractors. Mr. Powers answered in the affirmative. Chair Hunter asked what is the percentage of abandoned vehicles that are picked up.

Shawn Brock, Contract Manager, Abandoned Vehicle Program said when vehicles are towed they are redeemed by the owner, sold at an auction, or sold for scrap. He said the majority of vehicles are sold at auction, but the city will get a full return on the vehicles that are redeemed, and get a percentage franchise fee on the vehicles that are sold at auction. Mr. Carroll asked how many vehicles are redeemed versus the ones that are sold. Mr. Brock said approximately 30%.

Mr. Powers said adding nuisance vehicles may create a higher return for the city, and that there may be a higher redeeming rate for vehicles with expired license plates.

Councillor Brian Mahern asked what circumstances constitute a vehicle to be towed other than the fact that it is in a no parking zone, or it is a nuisance vehicle. Mr. Carroll

said there are franchise tows, which are a result of the Indianapolis Metropolitan Police Department (IMPD) or Sheriff calling a tow truck; the vehicle can be towed from a franchise lot to an abandoned vehicle lot; or it can be towed if it is an abandoned or nuisance vehicle.

Councillor McHenry asked how long a stolen vehicle is kept in the database system. Mr. Brock said as soon as they receive a vehicle, they send the Vehicle Identification Number (VIN) to IMPD to determine if it is on the stolen list. He said there are stolen vehicles that are recovered through police impounds, and they are held until an investigation is complete; but generally, if a vehicle is not redeemed within fifteen days, one final search is done on the VIN before it is sold at the auction. Chair Hunter said the information on the vehicle stays in the police's database indefinitely.

Councillor Dane Mahern asked which office is responsible for enforcing this policy. Mr. Carroll said DPW presently has the contract for abandoned vehicles, and that contract will be amended early next year; and the nuisance contract will be bid on in January or February 2010. Mr. Carroll said OCE will fully take over the abandoned and nuisance vehicle program at the beginning of next year. Mr. Powers said their goal is for OCE to be in charge of towing city-wide. He said the scope of the contracts will be broadened so that they are not exclusionary. Mr. Powers said this proposal changes towing operations, but not the needs.

Councillor Mansfield asked how this will affect expenditures and revenues. Mr. Brock said that additional revenues will be approximately \$100,000. Councillor Moriarty Adams moved, seconded by Councillor Scales to send Proposal No. 83, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 9-0.

PROPOSAL NO. 130, 2009 - defines and establishes a school zone on Illinois Street between 30th Street and 32nd Street (District 8)

Nathan Sheets, Senior Project Manager, DPW, said this proposal establishes a 25 miles per hour (mph) speed limit. He said DPW was approached by the Children's Museum regarding some safety concerns. Mr. Sheets said this was originally introduced as a school zone, and DPW was concerned that the school itself had not been defined.

Bob Elrod, General Counsel, read the amendments to this proposal, attached as **Exhibit A**. He said on the proposal itself it says defines and establishes, but the word (defines) should be deleted, and the word (establishes) should remain; strike school zone and insert 25 mph speed limit; strike 30<sup>th</sup> Street and insert 29<sup>th</sup> Street; after the formalities, the words should be (general ordinance instead of resolution); the word (resolution) in the title needs to be stricken, and the word (ordinance) inserted; remove the word (defining); insert establishing 25 mph in place of school zone; strike 30<sup>th</sup> Street, and insert 29<sup>th</sup> Street; delete all of the whereas clause; the section that says (be it resolved) should say (be it ordained); delete existing Sections 1 & 2; the amendment itself should read section 1; and to conform to the standard form of drafting, strike out the word (that) and insert the word (the); strike out (Indianapolis/Marion County

Indiana), because it is redundant. Chair Hunter asked if Councillor Gray had a sponsor of this amendment. Councillor Mansfield said that Councillor Gray is in support of this proposal. She said it was originally written so that the speed reduction would have been enforced for five days due to a school zone, but now the speed reduction will be in effect seven days a week.

Councillor Mansfield moved, seconded by Councillor Brian Mahern to "Amend" Proposal No. 130, 2009. The motion carried by a vote of 9-0.

Mr. Sheets said this proposal will be in effect between the areas of 29<sup>th</sup> and 32<sup>nd</sup> Streets, and between the hours of 8:30 a.m. and 4:30 p.m. Councillor Speedy asked if this proposal requires a warrant analysis or engineering study. Mr. Sheets said they were originally concerned that this proposal covered a five-block span, so it was reduced to a three-block span to be more effective. He said they will have to rely on police officers to enforce this speed reduction. Councillor Speedy asked if additional markings are required. Mr. Sheets said pavement markings are not required, but they will put in signs on the east and west sections of Illinois Street.

Councillor Scales asked Chair Hunter if there will be stricter penalties for speeding. He answered in the negative. Councillor Moriarty Adams asked if the traffic lights at 29<sup>th</sup> and the Children's Museum have slowed down traffic. Mr. Sheets they do not normally put in traffic signals to slow down traffic, but the signal that is installed at 30<sup>th</sup> Street is for moving pedestrians across the Illinois Street. Councillor Cain said this is a great idea, and it will make that area much safer.

Chair Hunter asked what the cost is to implement these changes, and if the Children's Museum has offered any financing since they are requesting this change. Mr. Sheets said it costs between \$50 to \$60 dollars a sign, so it should be a total of \$240-\$250 to install the signs. Mr. Sheets said the Children's Museum is considering funding flashers in the future if needed. Councillor Cain said she hopes that the city will be willing to support this proposal considering all of the work that the Children's Museum does for the city. Councillor Brian Mahern asked what the time frame is to install signs. Mr. Sheets said a month to a month and a half. He said they make the signs in house, so they do not have to rely on contractors to do their work. Brian Statz, Children's Museum, introduced Anthony Bridgeman, Children's Museum, Julia Lacy, Board Chairman, Children's Museum, and Jeff Patchen, President and Chief Officer, Children's Museum. Mr. Statz said they have worked with Councillor Gray and DPW to revise the original proposal from a school zone to a 25 mph zone. He said they offer programs to over a million visitors every year, and most of their attendees are pre-school and school-aged children. He said in addition to that, their daily offerings include classes and programs. He said 90,000 to 100,000 children attend the museum each year, and they service over 2,000 school children per day. Mr. Statz said they also offer year-round, morning and afternoon classes. He said they have their Starpoint program serves 60 children at a time, and most of those children live in the neighborhood surrounding the museum. He said most of the children access the museum from the streets listed in this proposal.

Councillor Scales asked if they still offer free admission on the first Thursdays in every month. Mr. Statz answered in the affirmative. Chair Hunter said he talked to Councillor Gray, and he thinks that it is important to support this proposal. Councillor Scales moved, seconded by Councillor Moriarty Adams to send Proposal No 130, 2009 to the full Council with a "Do Pass As Amended" recommendation. The motion carried by a vote of 9-0.

{Clerk's Note: Councillor Speedy left meeting at 6:02 p.m.}

PROPOSAL NO. 166, 2009 - establishes that the Council, as the fiscal body of the City and County, is interested in making a purchase of specified land owned by James D. and Ova Hix, pursuant to IC 36-1-10.5-5, for construction of a public works project

PROPOSAL NO. 167, 2009 - establishes that the Council, as the fiscal body of the City and County, is interested in making a purchase of specified land owned by The Riviera Club, Inc., pursuant to IC 36-1-10.5-5, for construction of a public works project

Chair Hunter asked for consent to take Proposal Nos. 166 and 167, 2009 together. Consent was given. Jeff Roeder, Neighborhood Liaison, DPW, said the Riviera Club project will make improvements to lift station 507. The improvements will make the land more accessible, and the Hicks property is for improvements to Highland Creek Drainage project. He said the costs of these projects have already been accounted for, and he is asking the committee for approval to give DPW the authority to acquire these parcels. Councillor Mansfield asked if the owners of the property are in agreement with these proposals. Mr. Roeder answered in the affirmative. He said they have been fairly compensated for the land. He said he is not familiar with the direct acquisition of the land, and the Riviera Club has expressed concerns, but DPW is continuing to work with them on a regular basis.

Councillor Moriarty Adams moved, seconded by Councillor Scales to send Proposal Nos. 166 and 167, 2009 to full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

{Clerk's Note: Mr. Elrod left the meeting at 6:08 p.m.}

PROPOSAL NO. 168, 2009 - authorizes intersection controls at Platinum Place and Sheridan Avenue (District 25)

PROPOSAL NO. 169, 2009 - authorizes parking restrictions on Windsor Drive between Arlington Avenue and Catherwood Avenue (District 17)

PROPOSAL NO. 170, 2009 - authorizes parking changes on New York Street (Districts 17 and 21)

PROPOSAL NO. 171, 2009 - authorizes parking changes on Michigan Street (Districts 17 and 21)

PROPOSAL NO. 173, 2009 - authorizes the removal of parking meters on both sides of Illinois Street between 38th Street and 39th Street (District 8)

Chair Hunter asked for consent to take Proposal Nos. 168, 169, 170, 171, and 173, 2009. Consent was given. Councillor Moriarty Adams said in regards to Proposal No. 170, 2009, her district stops at 10<sup>th</sup> Street, with the exception of Ellenberger Park. She said Councillor Oliver oversees District 10, if it pertains to New York Street, west of Emerson Street. Mr. Roeder said he asked Chair Hunter and Councillor Moriarty Adams to be the main sponsors of these proposals since they go through several districts heading east. He said that all Councillors whose districts are affected by these projects have been notified. Mr. Roeder said these proposals are more of a comprehensive project for the city. Councillor Dane Mahern asked why meters are being removed with Proposal No 173, 2009. Mr. Sheets said there are not a lot of meters installed in that area, and the ones still there are hindering business. Mr. Sheets said the city does not get a lot of revenue from those meters, but there is a cost associated with their upkeep. He said in the spirit of working with business owners, they thought it would be in the best interest of everyone to remove the meters.

Councillor Mansfield asked if everything will balance out once the meters are removed since they are not generating a lot of revenue. He said removal of these meters will not really affect revenue. Councillor Cain asked if the public will still be able to park there. Mr. Sheets answered in the affirmative. Councillor Cain asked if Proposal No. 168, 2009 is a stop light or stop sign. Mr. Sheets said it is a stop sign. Councillor Moriarty Adams moved, seconded by Councillor Dane Mahern, to send Proposal Nos. 168, 169, 170, 171, and 173, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

Charlie Mullen, Ace Rent-a-Car, said Proposal No. 172, 2009 will make Waldemere Avenue at Washington Street a one-way street where Morris Street intersects. He said this proposal has been pulled temporarily, but has upset a lot of people in the area. He said their main concern is that once you get in to the neighborhood that it is difficult to get out. He said his business is being bought out as a result of the interstate expansion, and they have to move. Mr. Mullen said the logical choice is to move to the south side of the street where Ace Rent-a-Car owns four acres, but if the one-way proposal is approved, it will be useless to start development at that point because traffic will not be able to get in and out.

Mr. Mullen said they have a letter of intent from Crystal Flash to obtain the property at the corner of Waldemere Avenue, and Ace Rent-a-Car would take the property to the west. He said as the interstate changes, there could be further development to the west. Chair Hunter said that he pulled Proposal No. 172, 2009 at the request of Councillor Lutz, but within forty-five days he has to act on it. Chair Hunter asked Mr. Mullen to work with himself, and Councillor Lutz on this proposal. Mr. Mullen said he has obtained over 400 signatures in opposition of this proposal. Councillor Scales said she has a similar issue in her district that was configured by the Indiana Department of Transportation (INDOT). Mr. Mullen said that INDOT is supporting this measure, but they were told the

sole purpose of this project was to eliminate the stop lights on the corner of Waldemere. Councillor Scales said that when she and constituents from her district met with INDOT, they presented ideas of how the lanes could be reconfigured. She said if INDOT can see that there is a need, perhaps they will be encouraged to reconsider this project.

Councillor Mansfield said her concern is that when the State implements mandates that the local community is being hurt by them. Mr. Mullen said they want everything to work. Councillor Moriarty Adams asked who is supporting this proposal. Mr. Mullen said Councillor Lutz supports this proposal, but he has agreed to pull it for the time being. Mr. Mullen said he has an e-mail from INDOT that refers this situation to the city. Councillor Cain suggested that Mr. Mullen contact his state representative and state senator. Chair Hunter said he will continue to work with Councillor Lutz on this matter, and perhaps Councillor Lutz along with DPW will be able to find a resolution.

There being no further business, and upon motion duly made, the meeting adjourned at 6:24 p.m.

Respectfully Submitted,

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Benjamin Hunter, Chairman

BH/cj



